

Serial No.: 10/748,386

## REMARKS

### Summary

Claims 1-12 were pending and all of the claims were rejected. The Applicant has changed the Applicant's case number from 10125/4135 to 12581/4135 to correct an administrative error. The Examiner is respectfully requested to make a corresponding change in the appropriate PTO records. The Applicant has amended the title of the Application. The Applicant has reviewed the cited art and the reasons given by the Examiner for the rejections and respectfully traverses these actions.

The Examiner has noted that a certified copy of the P2003-16458 application has not been filed. Applicant will submit this document under separate cover.

### Title

The Examiner considers that the title of the application is not "clearly indicative of the invention to which the claims are directed." This implies that the title should indicate the scope of the invention; however that can only be done by reading each of the claims. As such, any suggestion that the title of the application limits the invention claimed is improper and is hereby disclaimed. Since the Examiner may make a unilateral change to the title, the Applicant chooses to do so, and has amended the specification so that the title reads: "LIQUID CRYSTAL DISPLAY MODULE MECHANICAL IMPROVEMENT".

### Claim Rejections

#### **35 U.S.C. § 112, second paragraph**

Claim 9 was rejected under 35 U.S.C. § 112, ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In rejecting Claim 9, the Examiner acknowledges that DBEF sheets satisfy the language "partially different thermal expansion coefficient" at, for example,

Serial No.: 10/748,386

paragraphs 0025 and 0060 of the specification. Hence, the wording of Claim 9 is sufficiently distinct to unambiguously identify a specific material referred to in both a reference and in the specification. As such, the Applicant respectfully traverses the Examiner's rejection of Claim 9.

### **35 U.S.C. § 102 (e)**

Claims 1-5, 7 and 8 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kim (US 6,847,417; "417"). The Applicant respectfully traverses the rejection on the basis that a *prima facie* case of anticipation has not been made out.

Claim 1 recites, *inter alia*, a liquid crystal display model having a first securing point close to one corner of a first side, and second and third securing points close to corners of a second side of the optical sheet opposing the first side.

The Examiner characterizes Fig. 4 of Kim '417 as having "a first securing point [514, sic, 342a] close to one corner of a first side [510, sic]" of the optical sheet 340. (Office action, item 6, second paragraph). Nothing in the specification characterizes the location of the securing points with respect to the corners of the sheet, and since drawings in a patent application are not to scale, the Applicant respectfully submits that the Examiner's characterization of Kim '417 constitutes reading of the present Claim 1 to describe a figure in the reference. By itself, Fig. 4 does not teach any dimensional aspect. It is well settled that an anticipation rejection cannot be predicated on an ambiguous reference (*In re Turlay*, 304 F.2d 893, 899 134 USPQ 355, 360(CCPA 1962)). Since Kim '417 does not describe all of the elements and limitations of Claim 1, a *prima facie* case of anticipation has not been made out and the claim is allowable.

### **35 U.S.C. § 102 (b)**

Claim 1-4 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kim (US 6,175,396; "396"). Here the examiner finds textual support for a statement that the securing points can be close to a corner of the optical sheet. Kim '396 is directed towards the fixing members that are used so as to accommodate expansion of an optical sheet. Nowhere in the figures is a complete view of an optical sheet or the location of more than one fixing member shown. The Applicant respectfully submits that

Serial No.: 10/748,386

this precludes the use of Kim '396 as an anticipatory reference, since not all of the elements and the arrangement of Claim 1 are disclosed in the same reference. At col. 11, lines 23-25, Kim '396 does disclose that "... four positioners can be used, where each positioner is installed to each respective corner of a mold frame."

As recited in Claim 1 above, the positioner is installed close to one corner of the first side and corners of the second side. The description in Kim '396 leads to a configuration where positioners may be installed in each corner of the first side and each corner of the second side. This is not the configuration of Claim 1, and therefore the claim is not anticipated and is allowable.

Claims 2-5, 7 and 8 are claims dependent on allowable Claim 1 and are allowable, without more.

#### 35 U.S.C. § 103 (a)

Claim 6 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Kim '417, as applied above, in view of An et al. (US 6,392,724; "An"). The Applicant respectfully submits that the Examiner has not made out a *prima facie* case of obviousness. The Applicant has demonstrated, in the traversal of the rejection of Claim 1, that Kim '417 does not teach the location of the securing points of Claim 1, and cites nothing in An to remedy this deficiency. Hence, the combination of the references does not teach the configuration of Claim 6. Moreover, Claim 6, being dependent on allowable Claim 1, is allowable, without more.

Claims 9 and 10 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Kim '396, as applied above, in view of Okamura (US 6,008,871; "Okimura"). The Applicant respectfully submits that the Examiner has not made out a *prima facie* case of obviousness. The Applicant has demonstrated, in the traversal of the rejection of Claim 1, that Kim '396 does not teach the quantity of the securing points of Claim 1, and cites nothing in An to remedy this deficiency. Hence, the combination of the references does not teach the configuration of Claims 9 and 10. Moreover, Claims 9 and 10, being dependent on allowable Claim 1, are allowable, without more.

Claims 11 and 12 were under 35 U.S.C. § 103 (a) as being unpatentable over Kim '396, as applied above, in view of Cho (US 6,580,477; "Cho"). Claims 11 and 12

Serial No.: 10/748,386

are allowable as a *prima facie* case of obviousness has not been made out, with the same reasoning as for Claims 9 and 10 given above but with respect to Cho as the secondary reference.

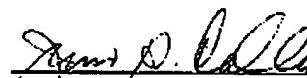
**Conclusion**

Claims 1-11 are pending. The title of the application has been amended.

For at least the reasons given above, the Applicants respectfully submit that the pending claims are allowable.

The Examiner is respectfully requested to contact the undersigned in the event that a telephone interview would expedite consideration of the application.

Respectfully submitted,

  
\_\_\_\_\_  
James A. Collins  
Registration No. 43,557  
Agent for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200